

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED  
08 JUN -3 AM 10:50  
08 MJ 1737  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

1) Rene ESPINDOLA-Gallegos,  
2) Jose Antonio ESPINDOLA-Gallegos

Defendant(s)

) Magistrate Case No. \_\_\_\_\_  
)  
)  
)

) COMPLAINT FOR VIOLATION OF: (P)  
)

DEPUTY

) Title 8 U.S.C., Sec. 1324 (a)(2)(B)(iii)  
) Bringing in Illegal Aliens Without  
) Presentation  
)  
)  
)

The undersigned complainant, being duly sworn, states:

On or about **June 1, 2008**, within the Southern District of California, defendants **Rene ESPINDOLA-Gallegos** and **Jose Antonio ESPINDOLA-Gallegos**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Efrain GUZMAN-Saavedra**, and **Samuel CURIEL-Saavedra**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
\_\_\_\_\_  
SIGNATURE OF COMPLAINANT

James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **3<sup>rd</sup>** DAY OF **JUNE 2008**

  
\_\_\_\_\_  
Leo S. Papas  
UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:**

- 1) **Rene ESPINDOLA-Gallegos**
- 2) **Jose Antonio ESPINDOLA-Gallegos**

**PROBABLE CAUSE STATEMENT**

Furthermore, the complainant states that **Efrain GUZMAN-Zavedra**, and **Samuel CURIEL-Savedra** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On June 1, 2008 Border Patrol Agent J. Heredia was performing uniformed line watch duties in the Chula Vista Border Patrol Station area of responsibility. At approximately 10:30 a.m. Agent Heredia was patrolling the area known as "The Lakes." This area is located approximately three miles east of the Otay Mesa, California Port of Entry and five miles north of the United States/Mexico International border.

While patrolling the area on foot, Agent Horne observed four individuals walking towards an area known to Border Patrol Agents as "White Bridge." Once the individuals realized that they had been spotted, they began running. Agent Horne approached the individuals, identified himself as a Border Patrol Agent and questioned the four individuals as to their citizenship and nationality. All four admitted to being citizens and nationals of Mexico including two later identified as the defendants **Rene ESPINDOLA-Gallegos** and **Jose Antonio ESPINDOLA-Gallegos**. All four individuals also admitted to being in the United States without any immigration documents allowing them to be in or remain legally. All four individuals were placed under arrest and transported to the Chula Vista Border Patrol Station for processing.

**MATERIAL WITNESSES STATEMENTS:**

Material witnesses **Samuel CURIEL-Saavedra** and **Efrain GUZMAN-Saavedra** agree in summary that they are citizens and nationals of Mexico illegally present in the United States. They admit to entering the United States illegally. The material witnesses stated that the defendants were going to arrange for a car to take them to their destination in the United States for \$200.00 (USD).